



**Village of Algonquin
Committee of the Whole
Meeting Minutes
Held in the Village Board Room
August 28, 2018**

AGENDA ITEM 1: Roll Call to Establish a Quorum

Present: Trustees, Debby Sosine, Laura Brehmer, Jim Steigert, John Spella, Jerry Glogowski, and President Schmitt. A quorum was established.

Absent: Janis Jasper

Staff Members Present: Village Manager, Tim Schloneger; Senior Planner, Ben Mason; Assistant Public Works Director, Michele Zimmerman; Deputy Village Clerk, Michelle Weber; and Attorney, Kelly Cahill.

Chairman Debby Sosine called the Committee of the Whole meeting to order at 7:30 p.m.

AGENDA ITEM 2: Audience Participation

- Mr. Don Purn, 1667 Edgewood-Presented the Board with a Certificate of Appreciation on behalf of the Lion's Club for Supporting the Ninth Annual Bean Bag Tournament that was held at Buffalo Wild Wings. The proceeds of the tournament go to the Ted Spell Education Award and the Algonquin-Lake in the Hills Food Pantry.
- Cynthia Kanner, 920 Susan Ct-On behalf of the McHenry County Environmental Defenders, she expressed support for the D158 Solar project. She encourages the Village to ensure native planting and other stabilizing vegetation, also employ stormwater best management practices for these types of projects.

AGENDA ITEM 3: Community Development

Mr. Ben Mason Presented:

A. Consider a Final Plat Approval for the Spectrum Development

In 2017 the Board approved Preliminary Plat and Preliminary PUD approvals for a senior living facility on Lot 1, and multi-family residential on Lots 2 and 3. Spectrum is finalizing plans for the senior living facility and intends to come back in for Final PUD approval of Lot 1 later this fall.

On August 13, 2018 the Planning and Zoning Commission considered the petition and unanimously recommended approval (7-0) of the request for Final Plat of Subdivision.

Staff concurs with the Planning & Zoning Commission and recommends approval of the request for Final Plat of Spectrum Algonquin Subdivision with the following conditions:

- A Site Development Permit shall not be issued until the Plat of Subdivision is recorded, the Millbrook Drive and associated engineering plans – to include Becky Lynn Lane – are approved by the Village, and a Letter of Credit is posted for all the subdivision site improvements.
- The Final Plat of Subdivision, as prepared by Edward J. Molloy & Associates dated July 2, 2018 shall be revised to incorporate the comments from the July 23, 2018 Public Works memorandum and August 6, 2018 Christopher Burke Engineering memorandum.
- The Engineering Plans, as prepared by Cross Engineering & Associates dated July 5, 2018 shall be revised to incorporate the comments from the July 23, 2018 Public Works memorandum and August 6, 2018 Christopher Burke Engineering memo.
- The Landscape Plans, as prepared by Allen Kracower & Associates dated July 6, 2018 shall be revised to incorporate the comments from the July 23, 2018 Public Works memorandum and August 6, 2018 Christopher Burke Engineering memo.
- The Electrical Plans, as prepared by Vessel Architecture & Design dated February 9, 2018 shall be revised to incorporate the comments from the July 23, 2018 Public Works memorandum and August 6, 2018 Christopher Burke Engineering memorandum.

- The Final Stormwater Management Report, as prepared by Cross Engineering & Associates dated July 2018 shall be revised to incorporate the comments from the July 23, 2018 Public Works memorandum and August 6, 2018 Christopher Burke Engineering memorandum.
- All conditions in prior ordinances 2017-O-18, 2017-O-19, and 2017-O-20 relating to the Spectrum Senior Housing development shall remain in full force and effect.
- No construction on the multi-family parcels shall be permitted prior to construction of the senior living facility commencing on Lot 1.
- If construction of the senior living facility on Lot 1 has not commenced within 24 months after approval of the Millbrook Drive and associated infrastructure improvements contained within the enclosed plans, the Village may draw on the developer's Letter of Credit to complete the improvements.

Mr. Mason also went over the list of various suggestions and plan review requirement supplied by the Public Works Department and Christopher Burke Engineering, as stated in the Committee of the Whole packet.

Questions were raised by the Committee regarding the latest trends, environmental impact, the lack of the IEPA paperwork, and the vagueness of the statement in the packet noting the amount of construction to be done prior to work starting on the other parcels.

Mr. Cross explained that they have been studying the market to see what is desirable in the facilities. The current trend is wanting more themed interiors (i.e. a bistro will look and feel like a bistro and theater room will be more than just a TV and some chairs). The rooms will have the feel that you are actually at that type of establishment. Mr. Shaw explained, although the exterior, for the most part will not deviate from the original plan, the interior will have a new more desirable look and feel.

Mr. Mason explained, the Village will require the outstanding items to be submitted and or addressed prior to approval of any permits. That includes the ECO Cap, stormwater report, etc. Mr. Mason continued, once site permits, contraction permits are issued and construction begins on the Senior Living portion of the property (Lot 1), that is the trigger for construction on other properties (Lots 2 & 3) where the multi-family homes are proposed. There is not a percentage of completion stipulation of the Senior Living project prior to permit issuance of the other project. Mr. Cross indicated the DNR permits were received by his office this week.

It was the consensus of the Committee of the Whole to move this to the Board for approval.

B. Consider a Final PUD Amendment for District 158 Solar Array Installation on Academic Drive

Huntley Community School District 158 is contracting with Forefront Power to install large-scale solar facilities at several of the district's properties, including the Square Barn Campus in Algonquin. The School District is requesting an Amendment to the 2003 Final PUD approval for the Square Barn Campus, which originally required that all on-site utilities be underground.

The solar installations would be accessory to – and in support of – the energy power needs of the on-site School Campus, which is the primary use of the property as previously approved in its 2003 Final PUD approval. Forefront Power has provided a site plan and elevations depicting the two locations proposed on the Square Barn Campus. One will be located at the southwest corner of the property and the other will be north of the district's Administration building. It is projected that a large portion of the energy needed to power the Square Barn Campus will be generated by these on-site solar facilities.

The petitioner shall be required to address the comments outlined in the enclosed Public Works memorandum, which include a request for more information on the underground transmission lines to ensure there will not be any conflicts with existing village utility easements and infrastructure on the site.

Security fencing is proposed at a maximum six feet in height, which is consistent with village code. The fencing shall be vinyl coated in a decorative black, brown or green color, rather than standard chain-link silver. No barbed wire material shall be used on the fencing. In addition to the landscaping ground cover the petitioner will be planting within the installation areas, landscaping shall also be incorporated around the outside perimeter of the fencing. In particular, due to the Village's future land use plan which designates the surrounding unincorporated farmland as future residential, the west side of Location 1 and the west and south sides of Location 2 shall include a dense mix of evergreen, deciduous and decorative trees a minimum initial six (6) feet in height.

The location of the fence line shall be setback a minimum twenty (20) feet from the property lines, to maintain a buffer area as well as accommodate the necessary landscaping elements that will be required around the perimeter adjacent to future development. The proposed landscaping shall be reviewed and approved by the Village's Public Works Department and the petitioner shall be required to install the landscape elements concurrent with the construction of the solar installations.

The petitioner shall perform and submit for Village Staff review a field tile investigation for the location of the proposed pilings. The petitioner shall resolve any potential conflicts by either relocating the proposed location of the pilings or relocating the field tiles to maintain positive drainage.

Any future petition that would involve new expansion or addition to the installations—for example increase in height or construction of a new location—shall be required to come back before the Planning & Zoning Commission and Village Board for review as a separate PUD Amendment.

If either solar installation location is not operated for a continuous period of 12 months, it shall be considered abandoned and the School District shall remove the same within 90 days of receipt of notice from the Village. Failure to remove an abandoned installation within said 90 days shall be grounds to remove the installation at the School District's expense.

On August 13, 2018 the Planning and Zoning Commission considered the petition and unanimously recommended approval (7-0) of the request for Final PUD Amendment. Recommendation Staff concurs with the Planning & Zoning Commission and recommends approval of the request for Final PUD Amendment for the proposed solar panel installations with the following conditions:

1. The petitioner shall be required to modify the plans and / or provide additional information to address the comments in the enclosed Public Works memorandum dated August 16, 2018.
2. The proposed security fencing shall be a maximum six feet in height – consistent with village code – and shall be vinyl coated in a decorative black / brown / or green color, rather than standard chain-link silver. No barbed wire material shall be used on the fencing.
3. In addition to the landscaping ground cover the petitioner will be planting within the installation areas, landscaping shall also be incorporated around the outside perimeter of the fencing. In particular, the west side of Location 1 and the west and south sides of Location 2 shall include a dense mix of evergreen, deciduous and decorative trees a minimum initial six (6) feet in height.
4. The location of the fence line shall be setback a minimum twenty (20) feet from the property lines, to maintain a buffer area as well as accommodate the necessary landscaping elements that will be required around the perimeter adjacent to future development. The proposed landscaping shall be reviewed and approved by the Village's Public Works Department and the petitioner shall be required to install the landscape elements concurrent with the construction of the solar installations.
5. The motion-sensing security light at the entrance gate shall be shielded and downcast. A photometric plan shall be required for review by Village Staff if any additional site lighting is proposed for the solar installations and shall comply with the village's standards that lights be shielded, downcast, and no trespass light shall spill onto adjacent property.
6. The petitioner shall perform and submit for Village Staff review a field tile investigation for the location of the proposed pilings. The petitioner shall resolve any potential conflicts by either relocating the proposed location of the pilings or relocating the field tiles to maintain positive drainage.
7. Any future petition that would involve new expansion or addition to the installations, for example, increase in height or construction of a new location—shall be required to come back before the Planning & Zoning Commission and Village Board for review as a separate PUD Amendment.
8. If either solar installation location is not operated for a continuous period of 12 months, it shall be considered abandoned and the School District shall remove the same within 90 days of receipt of notice from the Village. Failure to remove an abandoned installation within said 90 days shall be grounds to remove the installation at the School District's expense.

Mr. Spella asked about the life span of the panel, disposal of expired panels, are they in stock or do they need to shipped in from another country, and how long will the installation process take?

The life span of the panels is about 30 years, which the School would be entering into a 20-year contract with an option of two additional five year terms. The panels are produced of non-hazardous materials and they would be broken down and recycled once they are no longer useful. A larger system takes approximately 4 months for complete installation, this project should be less than that.

Mr. Glogowski asked how will they guarantee the property will be restored if they decide not to continue with the solar panels.

Mr. Renkosik indicated restoration is part of the contract and they have a surety bond to ensure it gets done.

Ms. Brehmer asked if the solar arrays would be on grass as depicted, do you feel the 6 ft. height of the fencing is sufficient for security, and what is the duration of the large trucks accessing the school property.

Mr. Switzer clarified, although it will take a few months for installation the larger trucks will only be on property during the delivery of the equipment, which should be 2-3 days. Yes, it would be grass/native plantings. They have used 6 ft. fencing in other areas and have not had a problem.

Ms. Sosine asked about the size of the transformer, where will the transformer be placed, when will the project begin, and because they contractors will be in and out of the school how will they ensure the children's safety.

Mr. Renkosik indicated the transformers are about the same size as the current transformers and will be placed near the current trash enclosures. The school district has a strict background check done on any contractor entering the school or site.

It was the consensus of the Committee of the Whole to move this to the Board for approval.

C. Consider an Event Liquor License and a Special Event Permit for St. Margaret Mary's Oktoberfest & 5K

St. Margaret Mary Oktoberfest, September 22 and 23, including liquor (beer tent) and a 5k walk. This is a Church festival with a car show, music, beer tent and other games and events. The event will be held on the grounds of the School Building, near Eastgate Drive. Saturday will feature a 5k run, using the same route as Founders Day. Sunday will feature a car show. Hours Saturday will be 2:00 p.m. to 11:00 p.m., and Sunday will be 8:00 a.m. to 7:00 p.m. Serving of alcohol will conclude one hour prior to close each day of the event.

Ms. Sosine expressed concern about the serving of alcohol during the event. She would like Mr. Barton, or an event representative, to attend the Board Meeting to answer questions about the wristbands and serving restrictions.

After discussion, it was the consensus of the Committee of the Whole to move this to the Board for discussion.

D. Consider a Public Event Permit for St. Vincent DePaul Walk for the Poor

St. Vincent DePaul Society, St. Margaret Mary Conference, Walk for the Poor, affiliated with St. Margaret Mary, September 15 (Rain date Sept 22). This is the primary fundraiser for this charitable organization. The rain date coincides with the 5k run for the Oktoberfest, but there is only a small portion of potential conflict on the Prairie Trail, it is not anticipated to create any issues.

Following discussion it was the consensus of the Committee of the Whole to move this to the Board for approval.

E. Consider a Special Event Permit for the Environmental Defenders of McHenry County for "It's Our Day"

The Environmental Defenders of McHenry County, It's Our River Day clean-up event on Saturday, September 15 from 1 to 4pm. The event will be held in Cornish Park, and participating groups include the Sierra Club, Fox River Jeep Club, Illinois Paddling Council and Friends of the Fox River. In the past this event has included live music and informational booths, however this year's event will be focused on the river clean-up activity itself and still requires special event approval from the Village Board for use of public park space. The Defenders have provided the village with a certificate of liability insurance.

Following discussion it was the consensus of the Committee of the Whole to move this to the Board for approval.

AGENDA ITEM 4: General Administration

Ms. Zimmerman presented the following:

A. Consider an Agreement with EnCap for the Creeks Crossing Park and Drainage Improvements

The project is a streambank stabilization, restoration of native wetland, savannah, and prairie ecosystems as well as HMA bike path, sidewalk and retaining wall. Because of the nature of the work being done, the general contractor performing all work has a degreed ecologist, who has knowledge in streambank restoration and restoration ecology, on staff. The Village has worked directly and indirectly with Encap numerous times over the last 5 years. They are a well-established and respected firm within the ecological restoration construction arena. This project fits their strong points and their submittal provided all the necessary and required information, including having a seasoned senior ecologist on staff. It is for those reasons, and the analysis conducted, that I recommend Encap, Inc. for award in the amount of \$685,903.60 for the subject project contract.

It was the consensus of the Committee of the Whole to move this to the Board for approval.

B. Consider an Agreement with Semper Fi Land Inc. for the Crystal Creek Restoration Project

This project stems from construction of the Western Bypass. As part of that project, IDOT did not complete all the work that was shown on the bypass plans as it pertained to the Crystal Creek realignment and restoration, and they also installed some of the features inadequately. The Village noted this in our many punch list inspections and met with IDOT to get them to finish the work and make the proper corrections, which they refused to do. Instead, IDOT agreed to give the Village \$50,000 to put towards the uncompleted work.

This contract involves getting the creek items repaired and finished as well as making other needed improvements to portions of the creek that IDOT was not responsible for in the Western Bypass project. Several significant rain events have occurred since 2015 that have caused severe erosion to the banks of the creek. This erosion is now threatening to undermine the McHenry County Prairie Trail as well as encroaching further and further into Towne Park. To help mitigate these issues, this restoration project involves installation of stone toe protection, re-grading of some of the creek banks, in stream features such as j-hooks and check dams that force the water flow to the center of the creek channel so it does not wash out the side slopes, and installation of native seed.

Four bids were received on this project. Copenhagen Construction was the low bidder at \$246,959.00. However, they do not meet the pre-qualification specifications that are called out in the bid. The specification specifically says that "the general contractor performing work in this contract must have a degreed ecologist, who has knowledge in streambank restoration and restoration ecology, on staff who has worked for said company for at least 2 years". Copenhagen's bid proposed using a hired subcontractor that does not work for their company. The hired sub-contractor's resume does not show a degree specifically in ecology. Due to the specialized nature of this project, we feel that it is critical that this specification be met. Therefore, we are suggesting approval of the second low bidder on the project which is Semper Fi Land Inc., out of Yorkville, IL at a price of \$279,538.00. This company has an impressive resume of similar projects as the Crystal Creek Restoration. Their staff has over 14 years of experience managing and constructing different natural area restoration and stabilization projects as well as degreed ecologists. Their references were contacted, all providing positive feedback in regards to working with this company.

This project was budgeted in the Street Improvement Fund at a cost of \$370,000.00. Therefore, it is our recommendation that the Committee of the Whole take action to move this matter forward to the Village Board for approval of Semper Fi Land, Inc. to construct the Crystal Creek Restoration Project at the bid price of \$279,538.00.

It was the consensus of the Committee of the Whole to move this to the Board for approval.

C. Consider an Agreement with Applied Ecological Services for the Crystal Creek Restoration Construction Management Services

Attached you will find a copy of the agreement with Applied Ecological Services, Inc. for construction management services in the amount of \$20,000.00 for the Crystal Creek Restoration Project. Construction management services for this project were passed as part of the 2018–2019 FY budget in the amount of \$40,000.00. Money for this service is coming out of the Street Improvement Fund. Construction for this project involves the installation of stone toe protection, re-grading of some of the creek banks, in stream features such as jhooks and check dams, and installation of native seed.

Applied Ecological Services was the design engineer for this project. They also designed the Crystal Creek Realignment and Restoration plans that were incorporated into the Western Bypass project. They are familiar with all aspects of this creek and how it functions and are, therefore, highly qualified to oversee this job. Thus, it is our recommendation that the Committee of the Whole take action to move this matter forward to the Village Board for approval of construction management services for Crystal Creek Restoration to Applied Ecological Services, Inc. for \$20,000.00.

It was the consensus of the Committee of the Whole to move this to the Board for approval.

D. Consider an Agreement with HR Green for Phase 2 Design Engineering for the Souwannas Creek Reach 2 Improvements

HR Green was sent this request exclusively as they were the Phase 1 designer for the project. Additionally, they are the lead consultant on the adjacent Village roadway project (Scott, Souwanas, & Schuett) which involves the replacement of the existing corrugated metal pipe that takes Souwanas Creek under Souwanas Drive. As part of the roadway project they were required to utilize Applied Ecological Services to change the discharge angle of the creek from the proposed culvert. The Souwanas Creek Reach 2 project will continue that work and thus keep this project team together.

Based on my analysis of the proposal and having worked with HR Green on several projects over the last few years, I am confident in their ability to complete the scope of the project. Therefore, the recommendation is that HR Green be considered in the amount of \$47,250.00

It was the consensus of the Committee of the Whole to move this to the Board for approval.

AGENDA ITEM 5: Public Works and Safety
None

AGENDA ITEM 6: Executive Session
None

AGENDA ITEM 7: Other Business

Mr. Schmitt, addressing the question that was brought up last week by Ms. Brehmer regarding creating an Environmental Commission, he explained the various environmental endeavors and initiatives the Village has been part of in the last 20+ years. He feels currently staff is doing a fantastic job and the Village has put mechanisms in place to promote conservation and environmentally sound decisions.

Ms. Brehmer explained, she believes that the Village has residents that are knowledgeable in this subject and could add value to our community.

Mr. Glogowski and Mr. Steigert concur with Mr. Schmitt's conclusions.

Mr. Schmitt continued to explain, if there is a specific project that they feel is lacking in this subject or if a resident feels that they could add value on this platform, please have them come to a meeting or contact staff to see if something can be done to address the issue.

Mr. Schmitt concluded the discussion by asking if the Committee is interested in creating an Environmental Commission. The consensus of the Committee of the Whole was not to create said commission.

AGENDA ITEM 8: Adjournment

There being no further business, Ms. Sosine adjourned the Committee of the Whole meeting at 8:40 p.m.

Submitted: Michelle Weber
Deputy Village Clerk